

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of )  
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 Daisuke KUMAKI et al. )  
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 Serial No.: 10/582,718 )  
 )  
 Filed: June 12, 2006 )  
 )  
 For: Light Emitting Device )  
 )  
 Art Unit: 2814 )  
 )  
 Examiner: Phat X. Cao )  
 )  
 Confirm No.: 6557 )

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE (A) TO OFFICE ACTION**

Applicants have the following response to the Office Action of January 6, 2009, a one month extension of time being submitted herewith.

**Claim Rejections – 35 USC §102**

**Liao et al.**

In the Office Action, the Examiner rejects Claims 1-2, 6-7, 12-13 and 15 under 35 USC §102(b) as being anticipated by Liao et al. (US 6,717,358). This rejection is respectfully traversed.

More specifically, independent Claim 1 recites the feature of “a second electrode in contact with the layer having the donor level.” A similar feature is in independent Claim 6. In the rejection,

the Examiner contends that Liao discloses a second electrode (110) in contact with the layer (131) having the donor level. Applicants respectfully disagree.

In contrast to the claimed invention, Liao appears to disclose that the layer (131) having the donor level is not in contact with the second electrode (110). More specifically, layer 131 in Liao appears to be part of a connecting unit 130 (see e.g. Fig. 2 in Liao). Connecting unit 130 is disposed between EL units 120. Hence, an EL unit is between anode 110 and connecting unit 130 (see e.g. Fig. 1 in Liao). As a result, layer 131 (in connecting unit 130) cannot be in contact with the second electrode (anode 110). Therefore, Liao does not disclose or suggest the claimed feature of a second electrode in contact with the layer having the donor level of independent Claim 1 or similarly of independent Claim 6.

Therefore, independent Claims 1 and 6 are not disclosed or suggested by Liao, and Claims 1, 6 and those claims dependent thereon are patentable over Liao. Accordingly, it is respectfully requested that this rejection be withdrawn.

Matsumoto et al.

The Examiner also rejects Claims 1-2, 6-7, 12-13 and 15 under 35 USC §102(e) as being anticipated by Matsumoto et al. (US 2005/0098207). This rejection is also respectfully traversed.

More specifically, in the rejection, the Examiner contends that Matsumoto discloses in Fig. 23, a second electrode (91) in contact with the layer (100) having the donor level. Applicants respectfully disagree.

In contrast to the claimed invention, Matsumoto appears to disclose that the second electrode (91) is not in contact with layer (100). Instead, the second electrode (91) is in contact with electron transporting layer (122) which is not a layer having the donor level. Therefore, Matsumoto does not

disclose or suggest the claimed feature of a second electrode in contact with the layer having the donor level of independent Claim 1 or similarly of independent Claim 6.

Therefore, independent Claims 1 and 6 are not disclosed or suggested by Matsumoto, and Claims 1, 6 and those claims dependent thereon are patentable over Matsumoto. Accordingly, it is respectfully requested that this rejection be withdrawn.

In addition, it is respectfully submitted that Matsumoto is not prior art to the present application.

More specifically, Matsumoto was published on May 12, 2005 based on a U.S. filing date of November 8, 2004.

The present application is a US national stage application filed on June 12, 2006 under 35 USC 371 which claims priority to international application no. PCT/JP2005/017076 filed on September 9, 2005 which claims priority under 35 USC §119 of Japanese patent application serial number 2004-278259 filed September 24, 2004 in Japan. Applicants are preparing a verified English translation of Japanese patent application serial number 2004-278259 and will submit it as soon as it is finished.

Hence, as the §119 priority filing date of the present application is prior to the U.S. filing date of Matsumoto, Matsumoto is not prior art to the present application.

Accordingly, it is respectfully requested that this rejection be withdrawn.

### Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any further fee should be due for this response and/or the extension of time, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Dated: May 6, 2009

Respectfully submitted,

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